

PROOF OF SERVICE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

I am employed in the County of Ramsey, State of Minnesota; my business address is 30 E. 7th Street, Suite 2800, Saint Paul, Minnesota 55101. I am over the age of 18 and not a party to the within action. On this date I served the following documents:

**PLAINTIFF'S MEMORANDUM IN SUPPORT TO STRIKE AND INVALIDATE
DEFENDANT'S RULE 68 OFFERS**

on the parties shown below:

Glenn L. Briggs
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Attorneys for Defendant

☐ (BY FAX) I am readily familiar with the firm's practice of facsimile transmission; on this date the above-referenced documents were transmitted, the transmission was reported as complete and without error and the report was properly issued.

☒ (BY ELECTRONIC FILING) On this date I provided the documents(s) listed above electronically through the Court's electronic filing service provider pursuant to the instructions on that website.

☐ (BY E-MAIL) On this date, the above-referenced documents were converted to electronic files and e-mailed to the addresses shown.

☐ (BY PERSONAL SERVICE) I caused the above documents to be delivered by hand pursuant to CCP § 1011.

☒ Federal: I declare that I am employed in the office of a pro hac vice member of the bar of this court at whose direction the service was made.

☒ State: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on this 11th day of September, 2008 at Saint Paul, Minnesota.

/s/ Ruth Merrill
Ruth Merrill